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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/937,608	RADIMIRSCH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Richard Chang	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/21/2006.
2. ☒ The allowed claim(s) is/are 17-34, renumbered as 1-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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## DETAILED ACTION

### Response to Amendment

1. Applicants' amendments and arguments, see amendment, filed on 7/31/2006, with respect to Claims 17-34 have been fully considered and are persuasive. The 35U.S.C. 112/103 rejections have been withdrawn. None of the previously cited reference teaches the Claims 17-34.

Claims 1-16 had been canceled.

### Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment had been given in a telephone interview with Mr. Michael Striker (reg. # 27233) and Mr. I. Zborovski (reg. # 28563) on 8/3/2006. The application has been amended for claims 17, 29-31 and 33 as follows:

In claim 17, the clause "*which train is capable of estimating...*" (See lines 5-6) is changed to "**said special synchronization train estimating...**",

In claim 29, there are totally 5 changes in this claim as following:

the word "*and*" (See line 5) is deleted,

the clause "*which train is capable of estimating...*" (See line 7) is changed to "**said special synchronization train estimating...**",

the word "*estimating*" (See line 8) is changed to "**estimates**",  
the clause "*and which train is ...*" (See line 9) is changed to "**and said special synchronization train being...**", and

the clause "*said first device can be performed;...*" (See line 12) is changed to "**said first device is performed;...**",

In claim 30, there are totally 3 changes in this claim as following:

the clause "*which can be transmitted by...*" (See line 2) is changed to "**which is transmitted by...**",

the clause "*, which train is capable of estimating...*" (See line 8) is changed to "**..., said special synchronization train estimating...**", and

the clause "*and which train is ...*" (after the comma sign in line 10) is changed to "**and said special synchronization train being...**",

In claims 31 and 33, the clause "*which train is capable of estimating...*" (See line 6) is changed to "**said special synchronization train estimating...**",

### ***Allowable Subject Matter***

3. Claims 17-34 are allowed.

### ***Examiner's Statement of Reasons for Allowance***

4. The following is an examiner's statement of reasons for allowance:

The prior art along or in combination fails to teach or make obvious the limitations that specifically comprises:

"for a block synchronization using total metrics of at least two different symbol sequences used as the synchronization train, and selecting as a beginning of a block, whichever index minimizes the total metrics within the predetermined interval" as recited in the independent claim 17, 29-31 and 33.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is (571) 272-3129. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

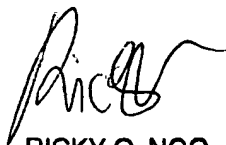
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*RKC*

rkc

Richard Chang  
Patent Examiner  
Art Unit 2616



RICKY Q. NGO  
SUPERVISORY PATENT EXAMINER